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MEMORANDUM

MEMO #0159

TO: Independent Support Coordinators (ISC)
DIDD Providers

FROM: James M. Henry, Commissioner *JMH*

DATE: September 27, 2011

SUBJECT: ISC/Provider Conduct and Ethical Considerations

Lately, I've been aware of a few instances in which new providers and ISC agencies have been reportedly recruiting people and their families to change existing services and/or agencies in order to build their clientele. It is imperative all entities in the Department of Intellectual and Developmental Disabilities (DIDD) service delivery system understand that changing providers and ISC agencies should only occur when it benefits the persons we serve. While DIDD always supports choice of providers, convincing people and their families to change providers simply for the purpose of recruiting people to support, is not acceptable. Unnecessary change is often hard for the population we serve. To this extent, changing existing services for the purpose of increasing clientele could be viewed as exploitive of the persons we serve. Furthermore, engaging in this type of recruitment is potentially a violation of both state law and federal law, which require strict confidentiality of any information concerning the persons we serve and the prohibition of using any identifying information outside of the actual approved services.

Therefore, what I'm proposing requires the Circle of Support to come together and discuss any concerns the person or their family has regarding current services or providers. If these concerns cannot be resolved with the current provider, discussions for reasons for change must be documented in an amendment to the Individual Support Plan prior to that change taking effect. DIDD will issue an official policy on this within the next couple of weeks.

In these economically challenging times, we must continue to keep in mind all providers and ISC agencies must adhere to professional, legal and ethical standards of behavior and practice. The state of Tennessee has a strong provider and ISC network. It is an expectation that new providers and ISC agencies struggling to build their client base, must honor best practice and ensure all endeavors adhere to the expectation that change be about the persons we support and not convenience.

Your cooperation and attention to this matter is greatly appreciated.

JMH/DP